

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-CR-103

SETH M. RECTOR,

Defendant.

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**ORDER DENYING MOTION FOR RELEASE**

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On May 10, 2019, Seth M. Rector was convicted of one count of Possession of Child Pornography and Judgment was entered on May 14, 2019. Rector did not appeal his conviction and is currently serving a 24-month sentence at the Federal Correctional Institution at Milan, Michigan, to be followed by 8 years of supervised release. Rector states that shortly after he began serving his sentence his father suffered a stroke and he really needs to be with his family in these uncertain times. Defendant has filed a motion for release, seeking a reduction of his sentence to “time served” and cites conflict with his prison case manager.

Under 18 U.S.C. § 3582(c)(1)(A), a sentencing court may reduce a defendant’s sentence upon a finding that “extraordinary and compelling reasons warrant such a reduction.” Defendant’s motion fails to assert any such reason here. Rector was sentenced to 24 months in the custody of the Bureau of Prisons, little more than a third of the low end of the sentence range under the United States Sentencing Guidelines. At the time of his sentencing, only a year ago, he was 37 years old and in apparent good health with no history of care or treatment for any serious or chronic health

condition. The sole reason for his request is that his father suffered a stroke within days of his arriving at the prison where he is serving his sentence.

As sad and unfortunate as his father's stroke is, it does not constitute the kind of extraordinary or compelling reason envisioned by the compassionate release statute. Illness, and even death, of family members while a person is serving a sentence is one of the sad consequences of the serious criminal conduct that results in a sentence to federal prison. If it were enough to warrant a reduction in one's prison sentence, there would be little finality to sentencing, since many defendants have elderly parents, or siblings, spouses and/or children that suffer health problems during their confinement, depending on the length of the sentence. Given the nature of the crime, the sentence imposed, and the time remaining until his release, the defendant's motion for early release is denied.

**SO ORDERED** at Green Bay, Wisconsin this 26th day of May, 2020.

s/ William C. Griesbach  
William C. Griesbach, District Judge  
United States District Court